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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0533 MHP
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
KILAMANJARO BELL,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of defendant Kilamanjaro Bell, the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from September 22, 2008, to October 20, 2008. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Undersigned counsel for defendant has just substituted into the case and has neither reviewed the discovery he anticipates receiving from defendant's prior counsel nor had the opportunity to discuss the case in detail with defendant. Failure to grant the requested continuance would unreasonably deny defendant's counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, in this case, and is also necessary in the interest

1 of continuity of counsel, given the recent substitution of counsel in the case.

2 2. Given these circumstances, the Court found that the ends of justice served by
3 excluding the period from September 22, 2008, to October 20, 2008, outweigh the best interest of
4 the public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant, at the hearing on September
6 22, 2008, the Court ordered that the period from September 22, 2008, to October 20, 2008, be
7 excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 IT IS SO STIPULATED.

9
10 DATED: September 23, 2008

/s/

WILLIAM M. GOODMAN
Attorney for Defendant

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12
13 DATED: September 22, 2008

/s/

ANDREW P. CAPUTO
Assistant United States Attorney

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16 IT IS SO ORDERED.

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18 DATED: 9/25/2008

